

VILLAGE OF COLD SPRING PLANNING BOARD
85 MAIN STREET, COLD SPRING, NEW YORK 10516

May 20, 2015

Present: Chairman Donald MacDonald members: Karn Dunn, B.M. Molloy, James Pergamo, Arni Saari and Anna Georgiou from McCarthy Fingar LLP

Chairman Mac Donald opened the public hearing at 7:04 P.M.

All Board members introduced themselves.

1.) Public hearing Butterfield Redevelopment LLC proposed Major Subdivision.

Chairman MacDonald read the following legal notice, opening a second public hearing for:

The purpose of hearing comment on the application of Butterfield Realty LLC for final subdivision

Approval for a four (4) lot subdivision pertaining to property situated on approximately 5.7 acres

On tax lot ID 49.5-3-45 located near the intersection of NYS Route 9D and Paulding Avenue, and

which was formerly the site of Butterfield Hospital. The subdivision will create three (3) new residential parcels along Paulding Avenue, with a single family home to be constructed on each

lot. The remaining mixed use parcel will contain approximately 5.2 acres.

Chairman MacDonald noted the Planning Board held a joint meeting on May 4th with the Village Board of Trustees to solicit their "advice" regarding the proposed subdivision and that the minutes of that meeting memorializing the "advice" received will be made part of the record of the Butterfield application.

Anna Georgiou noted the proposed subdivision of the former Butterfield hospital property will create three residential single family lots fronting on Paulding Ave. and the fourth lot will accommodate a mixed use project on the properties' remainder.

Ms. Georgiou noted there has been no change in the proposed plat since the preliminary plat was presented and reviewed in the board's first subdivision hearing on April 1st.

The Applicant was then asked to update the board on other approvals received in the past month.

Matt Moran, representing Butterfield Redevelopment LLC noted the following:

- A certificate of appropriateness was approved and received from the village Historijc District Review Board.
- Approval has been received from the Putnam County Department of Health.
- The applicant has met with New York State Department of Transportation (NYS DOT), whose approval off the site plan is required. While DOT is favorable to the project they have requested a number of items. One, the northern most access/egress near the Food Town shopping center should be limited to right turn in and right turn out. Two, the projects traffic study must be updated with projections of use five years into the future (currently the study contemplates only three years).
- It was noted DOT approval is not needed for the proposed subdivision but a building permit cannot be issued until the DOT grants approval.
- A copy of the plat has been submitted.
- The Storm Water Prevention Pollution Plan (SWPPP) and received letter acknowledgment from DEP of the submitted Notice of Intent (NOI).
- Assessors receipts have been received and any outstanding consultant fees will be paid before approval of the subdivision resolution.

Ms. Georgiou noted that the NOI from the DEC should be added to the application's record. The Applicant will update the board regarding the status of the escrow account with the Village.

It was noted there were no members of the public present desiring to comment on the Butterfield subdivision proposal and this fact was so recorded on the hearing sign-in sheet which is part of the record.

B.M. Molloy moved to close the public hearing for the final subdivision plat for the Butterfield Realty application located at the stated address and coordinates. J. Pergamo seconded the motion.

The board then polled as follows:

Jim Pergamo Yea

A. Saari Yea

K. Dunn Yea

B. Molloy Yea

D. Mac Donald Yea

The public hearing was closed at about 7:12 P.M.

The Board's regular monthly meeting opened at about 7:13 P.M.

1.) Butterfield Redevelopment LLC proposed Major Subdivision.

Chairman Mac Donald moved to have the Attorney (Anna Georgiou) draft a resolution approving the Major Subdivision plat as drawn, last revised date, for a Board vote on June 3, 2015. J. Pergamo seconded the motion. The motion was approved unanimously.

2. Correspondence:

B.M. Molloy noted he will circulate a report in PDF form from the "Pattern for Progress" infrastructure meeting he attended.

3. Minutes:

The minutes of May 4, 2015 were reviewed and amended. K. Dunn moved to approve the minutes as amended which included the public hearing of Richard Shea's proposed subdivision. and J. Pergamo seconded the motion. The revised minutes were approved 3-0. B.M. Molloy and A. Saari abstained due to them not being present at that meeting.

4. Old Business:

Richard Shea proposed minor subdivision at 57 Morris Ave. - Chairman MacDonald noted the board's the next step in the subdivision process would be to solicit the Village Board of Trustees (VBOT) advice on the matter, as had been done for the Butterfield application. Mr. MacDonald stated he had circulated a proposed cover memo that would be attached to a packet of information regards the application for the VBOT's review. The packet would include:

- the subdivision application as submitted by Mr. Shea.
- minutes of the application's May 6 public hearing
- the proposed subdivision plat.

The board will request a response back from the VBOT by June 12th so the vote on the subdivision can take place on June 17th.

K. Dunn noted that Mr. Shea filled out Part "B" (impact assessment) of his subdivision application which should have been reviewed and completed by the Planning Board.

The Board then reviewed Part "B" and answered each question unanimously.

The Board revised the proposed cover memo per Mr. Molloy's suggestions.

Dunkin Donuts, Chestnut Street- The board discussed the public interest in the issuing of a CO and or a temporary CO for the project. Mr. Molloy stated the building inspector was the sole person/entity responsible for inspecting the project site for compliance with the approved plans. He noted any involvement by the Planning Board in that process could leave the village open to litigation in the future.

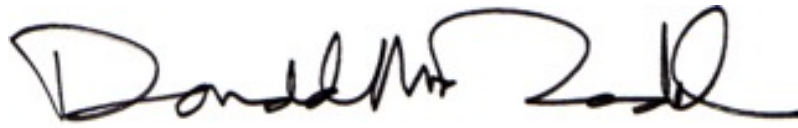
4. Bills:

- McCarthy Fingar LLP - Dated April 22, 2015 for review of the Butterfield Realty LLC application for the amount of \$5,771.00.
- SMI - for work done for the Butterfield Realty LLC application dated May 7, 2015 for the amount of \$797.75.

5. Public Comment:

- None

B. M. Molloy moved to adjourn the monthly meeting and K. Dunn seconded the motion. The meeting adjourned at 8:16 P.M.



Donald MacDonald, Village of Cold Spring Planning Board Chair

June 3, 2015

Date